REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-33 are pending in this application. Claims 1, 5, 9, 13, 17, 22 and 27-33 are independent. Claims 1, 17, 31 and 32 have been amended to correct minor grammatical errors. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. 35 U.S.C. § 103(a) REJECTIONS

Claims 1-33 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over U.S. Patent No. 6,249,835 to Isoda in view of U.S. Published Application US 2001/0048531 to Hisada, which issued as U.S. Patent No. 6,535,300. Applicants respectfully traverse the rejection.

Independent claim 1, recites, *inter alia*:

"...receiving means for receiving moving picture data representative of a plurality of sequential images and for selecting a desired image therefrom;

judging means for detecting print data specifying information included in a print data transmitting command supplied from the printing control unit for the desired image, and

judging, based on the detected print data the type of the print data transmitted from the printing control unit..." (emphasis added)

As understood by Applicants, U.S. Patent No. 6,249,835 to Isoda, (hereinafter, merely, "Isoda") relates to a system that attempts to improve the total print operation speed of a print system for printing data supplied from a host computer via a communications unit, with a printer, a rasterization level is determined in accordance with a data transmission capacity of the communications unit, print data is generated at the determined rasterization level, and the generated data is transmitted to the printer.

As understood by Applicants, U.S. Published Application US 2001/0048531 to Hisada, which issued as U.S. Patent No. 6,535,300 (hereinafter, merely "Hisada") relates to a picture signal processing apparatus and method that determines whether there is an odd or even-number field signal in the picture signals received, **by referring to flags that are turned on or off in accordance with the result of odd and even-number field detection**. If the odd and even-number field flags are on, **an image processing operation A is performed**. If the odd-number field flag is on and the even-number field is off, **an image processing operation B is performed**. If the odd-number field flag is off and the even-number field is on, **an image processing operation C is performed**. In accordance with whether there is an odd or even-number field signal in the received picture signals, an appropriate image processing operation is selected from the different operations. **That is, the received picture signals are processed in a mode suitable to the signals, so as to generate suitable image data**. (see Abstract, emphasis added)

Applicants' first ground of traversal is that the combination of Isoda and Hisada fails to teach or suggest the features recited in claim 1. Specifically, the Office Action concedes

that Isoda does not explicitly mention judging the image type of the print data or receiving means for receiving motion picture data representative of a plurality of sequential images and for selecting a desired image therefrom. (see Office Action page 3) Applicants submit that the disclosure of Hisada fails to teach or suggest the features of claim 1. Specifically, a method that determines whether there is an odd or even-number field signal in the picture signals received, by referring to flags that are turned on or off in accordance with the result of odd and even-number field detection, as disclosed in Hisada, does not render the receiving means, recited in claim 1, obvious.

Applicants' second ground of traversal is that Hisada teaches away from the invention recited in claim 1. Indeed, the portion of Hisada relied upon by the Office Action to provide a teaching of the claimed receiving means, recites, in part:

"... the image printing operation according to this embodiment includes **three different-mode image processing operations A, B and C for conversion of video signals into image data**, and selectively uses an appropriate one of the image processing operations A, B and C in accordance with video signals input. Therefore, this embodiment eliminates the need for a user to perform a troublesome switching operation to select an appropriate one of the image processing operations A, B and C, and therefore makes image printing an easy operation. Furthermore, this embodiment ensures that the **input video signals will be converted into image data in an appropriate mode**, and therefore enables picture printing with good quality. (see Hisada, emphasis added)

Applicants respectfully submit that determining **mode image processing operations A, B and C for conversion of video signals into image data**, and selectively using an appropriate one of the image processing operations A, B and C in accordance with video signals input, as disclosed in Hisada, teaches away from receiving means for receiving moving picture data representative of a plurality of sequential images and for selecting a desired image therefrom, as recited in claim 1.

Applicants' third ground for traversal is that the combination of Isoda and Hisada lacks motivation. Indeed, one of ordinary skill in the art would not be motivated to look to a picture signal processing method that refers to a flag, as disclosed in Hisada, when Isoda relates to a rasterization level that is determined according to a data transmission capacity of the communications unit. The system of Isoda does not motivate one to determine a particular image processing operation. Therefore, Applicants submit that the combination of Isoda and Hisada is improper because it lacks motivation.

For all of the reasons provided above, Applicants respectfully request that the rejection of claim 1 be withdrawn.

For reasons similar to those described above with regard to independent claim 1, independent claims 5, 9, 13, 17, 22 and 27-33, which recite similar features, are also believed to be allowable.

III. DEPENDENT CLAIMS

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By Thomas F. Presson
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800